

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (currently amended): A multiple layered non-PVC containing tubing comprising:

a first layer of a polymer blend of: (a) from about 25% to about 50% by weight of the first layer a first polyolefin selected from the group consisting of polypropylene and polypropylene copolymers, (b) from about 1 to about 50% by weight of the first layer a second polyolefin selected from the group consisting of ethylene copolymers, ultra-low density polyethylene, polybutene, polybutadiene and butene ethylene copolymers; (c) from about 1% to about 40% by weight of the first layer a radio frequency susceptible polymer selected from the group consisting of polyamides, ethylene acrylic acid copolymers, ethylene methacrylic acid copolymers, polyimides, polyurethanes, polyesters, polyureas, ethylene vinyl acetate copolymers with a vinyl acetate comonomer content from 12%-50% by weight of the copolymer, ethylene methyl acrylate copolymers with methyl acrylate comonomer content from 12%-40% by weight of the copolymer, ethylene vinyl alcohol with vinyl alcohol comonomer content from 12%-70% by mole percent of the copolymer; (d) from about 1% to about 40% of a first thermoplastic elastomer; and

a second layer disposed coaxially within the first layer and being a second thermoplastic elastomer free of polyethylene and polypropylene.

Claim 2 (original): The tubing of claim 1 wherein the polyamide is selected from a group consisting of aliphatic polyamides resulting from the condensation reaction of diamines having a carbon number within a range of 2-13, aliphatic polyamides resulting from a condensation reaction of di-acids having a carbon number within a range of 2-13, polyamides resulting from the condensation reaction of dimer fatty acids, and amide containing copolymers.

Claim 3 (original): The tubing of claim 1 wherein the polyamide is a dimer fatty acid polyamide.

Claim 4 (previously presented) The tubing of claim 1 wherein the first polyolefin is a propylene copolymerized with a monomer selected from the group consisting of  $\alpha$ -olefins having from 2-17 carbons.

Claim 5 (original): The tubing of claim 4 wherein the first polyolefin is a propylene and ethylene copolymer having an ethylene content of from about 1% to about 8% by weight of the first polyolefin.

Claim 6 (original): The tubing of claim 1 wherein the first thermoplastic elastomer is selected from the group consisting of a first styrene and hydrocarbon copolymer.

Claim 7 (currently amended): The tubing of claim 6 wherein the first styrene and hydrocarbon copolymer ~~is~~ has a polymer structure selected from the group consisting of ~~polymers-structures-with~~ diblock, triblock, radial block, and star block.

Claim 8 (original): The tubing of claim 7 wherein the first thermoplastic elastomer is a styrene-ethylene-butene-styrene block copolymer.

Claim 9 (original): The tubing of claim 7 wherein the first thermoplastic elastomer is functionalized with a group selected from the group consisting of carboxylic acid, esters of carboxylic acids, anhydrides of carboxylic acids, epoxides, and carbon monoxide.

Claim 10 (original): The tubing of claim 9 wherein the first thermoplastic elastomer is maleic anhydride functionalized.

Claim 11 (original): The tubing of claim 1 wherein the second thermoplastic elastomer is selected from the group consisting of a second styrene and hydrocarbon copolymer.

Claim 12 (currently amended): The tubing of claim 11 wherein the second styrene and hydrocarbon copolymer has a polymer structure ~~is~~ selected from the group consisting of ~~polymer-structures-with~~ diblock, triblock, radial block, and star block.

Claim 13 (original): The tubing of claim 12 wherein the second thermoplastic elastomer is selected from the group consisting of a styrene-ethylene-butene-styrene copolymer, styrene-isoprene-styrene and styrene-ethylene-propylene.

Claim 14 (original): The tubing of claim 13 wherein the second thermoplastic elastomer contains styrene-ethylene-butene-styrene diblock copolymer and a styrene-ethylene-butene-styrene triblock copolymer.

Claim 15 (original): The tubing of claim 1 wherein the second polyolefin is an ethylene copolymerized with a monomer selected from the group consisting of  $\alpha$ -olefins.

Claim 16 (original): The tubing of claim 15 wherein the ethylene and  $\alpha$ -olefin copolymer is obtained using a single-site catalyst.

Claim 17 (original): The tubing of claim 1 wherein the second layer further comprises an additive selected from the group consisting of polypropylene, high density polyethylene, silica, slip agents, fatty amides and acrawax.

Claim 18 (original): The tubing of claim 17 wherein the additive is present in an amount by weight of the second layer from about 0% to about 20%.

Claims 19-111 (canceled).

Claim 112 (new): A multiple layered non-PVC containing tubing comprising:  
a first layer of a polymer blend of: (a) from about 25% to about 50% by weight of the first layer a first polyolefin selected from the group consisting of polypropylene and polypropylene copolymers, (b) from about 1 to about 50% by weight of the first layer a second polyolefin selected from the group consisting of ethylene copolymers, ultra-low density polyethylene, polybutene, polybutadiene and butene ethylene copolymers; (c) from about 1% to about 40% by weight of the first layer a radio frequency susceptible polymer selected from the group consisting of polyamides, ethylene acrylic acid copolymers, ethylene methacrylic acid copolymers, polyimides, polyurethanes, polyesters, polyureas, ethylene vinyl acetate copolymers with a vinyl acetate comonomer content from 12%-50% by weight of the copolymer, ethylene methyl

acrylate copolymers with methyl acrylate comonomer content from 12%-40% by weight of the copolymer, ethylene vinyl alcohol with vinyl alcohol comonomer content from 12%-70% by mole percent of the copolymer; (d) from about 1 % to about 40% of a first thermoplastic elastomer; and

a second layer disposed coaxially within the first layer composed of a second thermoplastic elastomer and a solvent bonding additive.

Claim 113 (new): The tubing of claim 112 wherein the solvent bonding additive is selected from the group consisting of a polypropylene, a high density polyethylene, silica, slip agents, fatty amides, and acrawax.